

-PS-O-

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

ANGELO HALL, 87-A-0716,

Plaintiff,

-v-

DECISION AND ORDER
05-CV-0315E

J. BLONSKY, Correction Officer,
C. ROBINSON, Correction Lieutenant,

Defendants.

Plaintiff, who is currently incarcerated in the Elmira Correctional Facility, has requested permission to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915(a) and has both met the statutory requirements and furnished the Court with a signed Authorization. Accordingly, plaintiff's request to proceed as a poor person is hereby granted.

Plaintiff, who was formerly incarcerated at the Groveland Correctional Facility, alleges that while there he was physically and sexually assaulted by defendant Blonsky and that, in order to cover up his allegation of sexual assault and to retaliate against him, a false misbehavior report was filed against him by defendant Robinson, who was assigned to investigate the alleged assault.

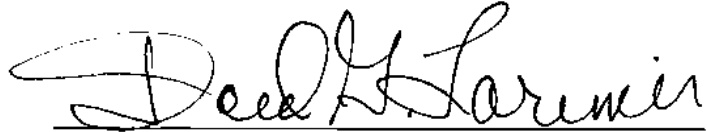
The complaint has been screened pursuant to 28 U.S.C. § § 1915(e)(2)(B) and 1915A,¹ and, accordingly, the Clerk of the Court is directed to file plaintiff's papers, and to cause the United States Marshal to serve copies of the Summons, Complaint, and this Order upon the named defendants

¹In evaluating the complaint, the Court must accept as true all factual allegations and must draw all inferences in plaintiff's favor. See *King v. Simpson*, 189 F.3d 284, 287 (2d Cir. 1999).

without plaintiff's payment therefor, unpaid fees to be recoverable if this action terminates by monetary award in plaintiff's favor.

Pursuant to 42 U.S.C. § 1997e(g)(2), the defendants are directed to answer the complaint.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read "David G. Larimer", written over a horizontal line.

DAVID G. LARIMER
United States District Judge

DATED: September 14, 2005
Rochester, New York